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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/729,731	12/05/2003	Alec C. Wong	PCCR121561	1322

26389 7590 08/31/2005

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EXAMINER


CRANSON JR, JAMES W

ART UNIT	PAPER NUMBER
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2875

DATE MAILED: 08/31/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/729,731	Applicant(s) WONG ET AL. 	
	Examiner James W. Cranson	Art Unit 2875	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 July 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-46 is/are pending in the application.
- 4a) Of the above claim(s) 26, 36 and 37 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 17-25, 27-35 and 38-46 is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12/05/2003 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-7,9-14, and 16 are rejected under 35 U.S.C. 102(b) as being anticipated by Des. 308,422 to Sasamura.

A headlight housing adapted to be mounted on a vehicle, the vehicle to ride on the ground and front section to emit light from a headlight is disclosed by Sasamura.

Regarding claims 1, 10 and 11;

Sasamura. discloses in figures 1 and 3 a headlight housing on a vehicle with front section (shown in figures 1 and 3) emitting light from a headlight, a top surface of width extending aft of top edge of front section, top surface parallel to ground and bottom surface of width extending aft to taper height of housing in aft direction (shown in figures 1 and 3).

Regarding claim 2, according to claim 1;

Sasamura. discloses in figures 1 and 3 that the front section has a height which tapers along a width of the front section.

Regarding claim 3, according to claim 1;

Sasamura. discloses in figures 1 and 3 that the top and bottom surfaces join to a back surface, the back surface oriented substantially perpendicular to the ground surface.

Regarding claims 4, according to claim 1, and claim 12, according to claim 10;

Sasamura. discloses in figures 1 and 3 that the headlight housing has a cross-section oriented in a fore and aft direction, wherein the cross-section substantially forms a quadrilateral.

Regarding claim 5, according to claim 1;

Sasamura. discloses in figures 1 and 3 that the headlight housing has a cross-section oriented in a fore and aft direction, wherein the cross-section substantially forms a quadrilateral shape having three sides oriented substantially perpendicular to one another and a remaining side oriented at an obtuse angle to one of the three sides.

Regarding claims 6, according to claim 1, and claim 13, according to claim 12;

Sasamura. discloses in figures 1 and 3 that the headlight housing has a cross-section in a fore and aft direction, wherein the area of the cross-section of the headlight housing decreases in area as the cross section is taken at spaced intervals outward from the vehicle across a majority of the width of the headlight housing.

Regarding claims 7, according to claim 1, and claim 14, according to claim 10;

Sasamura. discloses in figures 1 and 3 that the bottom surface is bowed inward.

Regarding claims 9, according to claim 1, and claim 16, according to claim 10;

Sasamura. discloses in figures 1 and 3 that the headlight housing is adapted to remain fixed in the illuminating position once mounted upon a vehicle.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 8 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Des.

308,422 to Sasamura.

Sasamura in a headlight for a truck teaches using the same aerodynamic headlight housing shape as in the instant application (figures 1 and 3) except for defining what the angle of inclination is between bottom surface and ground surface. It would have been obvious to one of ordinary skill in the art at the time of the invention to provide Sasamura with the inclination angle of 10 degrees because it has been held that where the general conditions of a claim are disclosed in the prior art, discovering the optimum or workable range involves only routine skill in the art *In re Aller*, 105 USPQ 233 (CCPA 1955).

Response to Arguments

Applicant's arguments filed 07/29/2005 have been fully considered but they are not wholly persuasive. The claims still remain broad in scope. Contrary to the response, Sasamura does disclose and illustrate in the figures 1-6 each and every element of claims 1-7,9-14 and 16. Again contrary to the response, referring to figure 3, the top surface starts as parallel or substantially parallel and then begins to curve. Applicant's arguments regarding amended claim 17 are persuasive.

Allowable Subject Matter

Claims 17-25,27,28,31-36,38,39 and 41-46 are allowed.

The following is an examiner's statement of reasons for allowance: Claim 17 was amended to have the bottom surface bowed inward. This feature is not found or taught in the art

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of record. Claim 18 was amended to include the limitations recited in claim 26 which was indicated as allowable in prior office action. Claims 19-25,27 depend from claim 18 and are allowable for the same reasons. Claim 28 was amended to include the limitations recited in claim 37 which was indicated as allowable in prior office action. Claims 31-36,38 and 39 depend from claim 28 and are allowable for the same reasons. New claim 41 is claim 22 rewritten in independent form. Similarly, claim 42 is claim 24, claim 43 is claim 25, claim 44 is claim 27, claim 45 is claim 29 and claim 46 is claim 40, rewritten in independent form including all of the limitations of the base claim and any intervening claims as indicated as allowable in the prior Office Action.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

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CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James W. Cranson whose telephone number is 571-272-2368. The examiner can normally be reached on Mon-Fri 8:30A.M.- 5:00P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandy O' Shea can be reached on 571-272-2378. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).




THOMAS M. SEMBER
PRIMARY EXAMINER